



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

FILED

AUG 17 2016

SECRETARY, BOARD OF
OIL, GAS & MINING

August 17, 2016

TO: Board of Oil, Gas & Mining

THROUGH: John R. Baza, Director 

FROM: Steve Schneider, Administrative Services & Policy Coordinator 

SUBJECT: Five-Year Review of Oil, Gas and Mining Rules

Over 40% of the rules under the jurisdiction of the Board of Oil, Gas and Mining are due for five-year review in accordance with the Utah Administrative Rulemaking Act. In accordance with our standard review process, the attached letter was sent to the Informal Rules Review Group seeking any comments by August 5, 2016 on renewal of these rules.

As of today, no parties have opposed renewal of these rules. Western Energy Alliance provided written support on August 4, 2016 for renewal of the rules.

The Division supports renewal of the rules at this time and is willing to proceed with a renewal filing in e-Rules, assuming there is no opposition from the Board. Rules lapse and are unenforceable if they are not renewed.

I will provide a short briefing to the Board on this matter on August 24, 2016. I can also be reached at 801-538-5328 or steveschneider@utah.gov if you have any questions.

Attachment



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

July 7, 2016

TO: Informal Rules Review Group

THROUGH: John R. Baza, Director

FROM: Steve Schneider, Administrative Services & Policy Coordinator

SUBJECT: Five-Year Review of Oil, Gas and Mining Rules

Over 40% of the rules under the jurisdiction of the Board of Oil, Gas and Mining are due for five-year review in accordance with the Utah Administrative Rulemaking Act, as shown on Attachment I. The primary purpose of the five-year review is to determine if the rules should continue, and the Division's preliminary review indicates these rules should. The rules pertain to Abandoned Mine Reclamation, Coal, Oil and Gas, and Administration.

Please take this opportunity to review this listing of rules and provide a response to Steve Schneider by **August 5, 2016** regarding the renewal of these rules, if you so desire. The rules are available for viewing at www.rules.utah.gov at the "Current Administrative Rules" link.

The Division anticipates providing a report to the Board on August 24, 2016 concerning any comments received and the renewal of these rules. If comments are provided concerning rule amendments, these matters will be addressed at a future date.

I can be reached by e-mail at steveschneider@utah.gov or by telephone at 801-538-5328 if you have any questions. Thank you in advance for your consideration of this matter.

Attachment



ATTACHMENT I – RULES DUE FOR FIVE-YEAR REVIEW

<u>Program & Rule</u>	<u>Title of Rule</u>	<u>Last Review Date</u>	<u>Review Due Date</u>
Admin. R642-100	Records of the Division and Board	February 1, 2012	February 1, 2017
AMR R643-870	Abandoned Mine Reclamation Regulation Definitions	February 1, 2012	February 1, 2017
AMR R643-872	Abandoned Mine Reclamation Fund	February 1, 2012	February 1, 2017
AMR R643-874	General Reclamation Requirements	February 1, 2012	February 1, 2017
AMR R643-875	Noncoal Reclamation	February 1, 2012	February 1, 2017
AMR R643-877	Rights of Entry	February 1, 2012	February 1, 2017
AMR R643-879	Acquisition, Management, and Disposition of Lands and Water	February 1, 2012	February 1, 2017
AMR R643-882	Reclamation on Private Land	February 1, 2012	February 1, 2017
AMR R643-884	State Reclamation Plan	February 1, 2012	February 1, 2017
AMR R643-886	State Reclamation Grants	February 1, 2012	February 1, 2017
Coal R645-100	Administrative: Introduction	February 1, 2012	February 1, 2017
Coal R645-103	Areas Unsuitable for Coal Mining and Reclamation Operations	February 1, 2012	February 1, 2017
Coal R645-200	Coal Exploration: Introduction	February 1, 2012	February 1, 2017
Coal R645-201	Coal Exploration: Requirements for Exploration Approval	February 1, 2012	February 1, 2017
Coal R645-202	Coal Exploration: Compliance Duties	February 3, 2012	February 3, 2017
Coal R645-203	Coal Exploration: Public Availability of Information	February 3, 2012	February 3, 2017
Coal R645-300	Coal Mine Permitting: Administrative Procedures	February 3, 2012	February 3, 2017

**ATTACHMENT I – RULES DUE FOR FIVE-YEAR REVIEW
(CONTINUED)**

<u>Program & Rule</u>	<u>Title of Rule</u>	<u>Last Review Date</u>	<u>Review Due Date</u>
Coal R645-301	Coal Mine Permitting: Permit Application Requirements	February 3, 2012	February 3, 2017
Coal R645-302	Coal Mine Permitting: Special Categories and Areas of Mining	February 3, 2012	February 3, 2017
Coal R645-303	Coal Mine Permitting: Change, Renewal, and Transfer, Assignment, or Sale of Permit Rights	February 3, 2012	February 3, 2017
Coal R645-402	Inspection and Enforcement: Individual Civil Penalties	February 3, 2012	February 3, 2017
Coal R645-403	Alternative Enforcement	May 23, 2012	May 23, 2017
Oil & Gas R649-1	Oil and Gas Definitions	February 3, 2012	February 3, 2017
Oil & Gas R649-2	General Rules	February 3, 2012	February 3, 2017
Oil & Gas R649-3	Drilling and Operating Practices	February 3, 2012	February 3, 2017
Oil & Gas R649-5	Underground Injection Control of Recovery Operations and Class II Injection Wells	February 3, 2012	February 3, 2017
Oil & Gas R649-8	Reporting and Report Forms	February 3, 2012	February 3, 2017
Oil & Gas R649-9	Waste Management and Disposal	February 3, 2012	February 3, 2017